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August 8, 2023

The Honorable Richard G. Andrews
U.S. District Court for the District of Delaware
844 N. King Street
Wilmington, DE 190801

VIA ELECTRONIC FILING

Re: *Cytiva Bioprocess R&D AB et al. v. JSR Corporation et al.*,
C.A. No. 21-310 (RGA) (D. Del.)

Dear Judge Andrews,

We write on behalf of JSR concerning Cytiva's recently filed letter addressing the Court's order maintaining the stay. (D.I. 85, 86.) For the **first time**, Cytiva states that it "intends to proceed solely on the four claims that the PTAB upheld." (*Id.*) Cytiva never stated this during the parties' joint status report meet and confer held on July 14, 2023, and this approach was not suggested in Cytiva's opening letter. (D.I. 75, 79.) Cytiva also has not reached out to JSR confirming that it will drop the 79 invalidated claims from this case, let alone propose any mechanism for resolving the parties' dispute involving them.

To the extent the Court is inclined to consider Cytiva's new position, given Cytiva's significant change of course following the Court's Order maintaining the stay (D.I. 83), JSR proposes that the parties meet and confer to further discuss the implications of Cytiva's letter. Following the meet and confer, JSR requests the opportunity to submit a letter of no more than 2 pages to respond to Cytiva's latest letter and further address why the stay should remain in place despite Cytiva's new position, including because the issues that will be addressed during the Federal Circuit's review of the four claims will have significant implications on JSR's § 112 and noninfringement defenses with respect to those claims.

Respectfully,

/s/ Jeremy A. Tigan

Jeremy A. Tigan (#5239)

JAT/dss

cc: Clerk of Court (via electronic mail)
All Counsel of Record (via electronic mail;)